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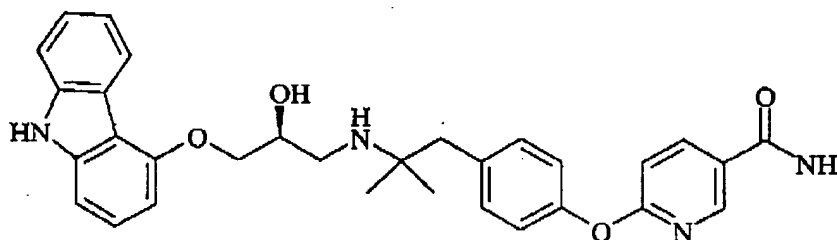
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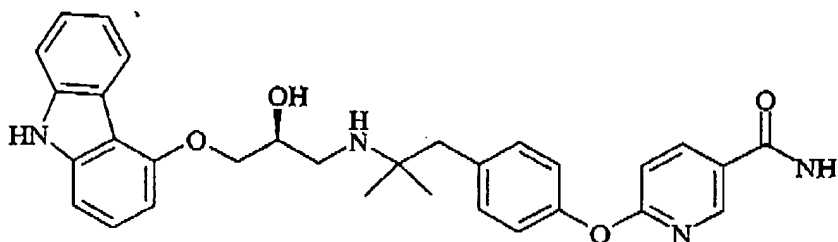
Amendments to the Claims

1-52 (Cancelled)

53. (Previously presented) A compound represented by the following structural formula:



54. (Previously presented) A 2-butyne-1,4 dioate, 3-hexyne-2,5-dioate, acetate, acrylate, benzoate, beta-hydroxybutyrate, bisulfate, bisulfite, bromide, caprylate, carbonate, chlorobenzoate, citrate, decanoate, dihydrogenphosphate, formate, fumarate, glycollate, heptanoate, hippurate, hydroxybenzoate, iodide, isobutyrate, lactate, maleate, maleate, malonate, mandelatemetaphosphate, methanesulfonate, methoxybenzoate, mono-hydrogenphosphate, naphthalene-1-sulfonate, naphthalene-2-sulfonate, oxalate, para-toluenesulfonate, para-bromophenylsulfonate, phenylacetate, phenylbutyrate, phenylpropionate, phosphate, phthalate, propanesulfonate, propiolate, propionate, pyrophosphate, pyrosulfate, sebacate, suberate, succinate, sulfate, sulfite, tartrate or xylenesulfonate salt of a compound represented by the following structural formula:



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55. (Previously presented) A pharmaceutical formulation comprising the compound of claim 53 and one or more pharmaceutically acceptable carriers, excipients or diluents.
56. (Previously presented) A pharmaceutical formulation comprising a salt of claim 54 and one or more pharmaceutically acceptable carriers, excipients or diluents or
57. Cancelled
58. (Currently amended) A method for treating obesity which comprises administering a pharmaceutically effective amount of a salt of claim 54 to a patient in need thereof.
59. Cancelled
60. Cancelled
61. Cancelled
62. (Currently amended) A method for treating Type II diabetes which comprises administering a pharmaceutically effective amount of a salt of claim 54 to a patient in need thereof.
63. Cancelled
64. Cancelled
65. (New) The salt of claim 54 which is the succinate wherein said succinate salt is the hemi-succinate.

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66. (New) A method for treating obesity which comprises administering a pharmaceutically effective amount of the salt of claim 65 to a patient in need thereof.
67. (New) A method for treating Type II diabetes which comprises administering a pharmaceutically effective amount of the salt of claim 65 to a patient in need thereof.

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Introduction

Claims 53-64 are pending in the instant application.

Claims 57, 59-61, 63 and 64 have been cancelled herewith.

Claims 65-67 have been added herewith. Applicants respectfully submit that these new claims are supported within the specification as filed at least by Example 126 at page 99.

Claims 58 and 62 have been amended herewith. Applicants respectfully submit that these amendments are supported at least by the passage at page 9, line 34 – page 10, line 6.

Pursuant to the Examiner's request to update the status of the parent application in Applicant's priority claim, an amendment to the specification has been provided herewith.

Claims 53, 55, 57, 61 and 63 stand rejected under 35 U.S.C. §101 over claims 8, 16, 30, 38 and 39 of U.S. Patent No. 6,140,352 (the '352 patent).

Claims 53-64 stand rejected under the judicially created doctrine of obviousness-type double patenting (JCDOTDP) over claims 1-16 and 22-39 of the '352 patent.

Claims 57, 58, 61 and 62 stand rejected under 35 U.S.C. §112, 2nd paragraph.